

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT NAGPUR, NAGPUR.

...

WRIT PETITION NO. 992 OF 2022

Mohd. Imran Mohd. Raeen and another ..Petitioners

versus

The Deputy Director of Education
Nagpur and another. ..Respondents

Mr. R.M. Sharma, Advocate for Petitioners
Mr.S.S.Doifode, Additional Government Pleader for Respondent
Nos.1 and 2

...

CORAM: NITIN JAMDAR &
ANIL L. PANSARE, JJ
DATED : 23 February 2022.

P.C. :

The Petitioners have sought a direction that
Petitioner No. 1 be appointed on compassionate basis since the
father of Petitioner No.1 who was working with Respondent
No.3-School, has gone missing since 11 March 2008.

2. Even assuming that the statement made on oath by
the Petitioners is correct, according to the concept of civil death
it would be seven years which would be 2015 while the Petition
is filed in the year 2022.

3. The Supreme Court in various decisions has laid

down that while considering a case for compassionate appointment, the Court will have to keep in mind the delay in approaching the Court since the object of providing for compassionate appointment is to provide support to the family on the loss of a bread-winner and it does not create a vested right in perpetuity. Therefore, the claim made by the Petitioner cannot be considered.

4. The Writ Petition is accordingly rejected.

[ANIL L. PANSARE,J.]

[NITIN JAMDAR,J.]

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